General Index

Acceleration clauses
bond issues
trustees' powers and duties, 43–66
Accessories
dishonest assistance
bad faith, 209–213
Administration
corporate recovery
super-priority financing, 701–732
African Union
corruption
Convention on Preventing and Combating Corruption, 111–136
Agency
underwriters
fiduciary relationship, 137–160
Alternative Investment Market
financial regulation
listed companies, 733–758
Annual general meetings
public companies
Germany, 225–243
Annulment
shareholders
resolutions, 225–243
Articles of association
minority shareholders
compulsory share transfers, 471–501
Assignment
contracts
factoring, 67–89
Australia
towage
implied terms, 582–588
Bad faith
change of position
bankers' duties, 209–213
Banker-customer relationship
confidentiality
right to respect for private and family life, 502–526
Bankers' duties
confidentiality, 502–526
dishonest assistance
bad faith, 209–213
Banking
documentary credits
Banking—*cont.*
documentary credits—*cont.*
letters of credit, 355–377
Banks
lender liability
environmental remediation, 868–883
Bilateral trade agreements
international investment disputes
interpretation of umbrella clauses, 570–581
Bills of lading
shipping documents, 329–354
Bond issues
trustees' powers and duties, 43–66
Breach of fiduciary duty
directors' powers and duties
establishment of competing businesses, 98–103
Business tenancies
renewal
occupation, 759–777
Buyers' powers and duties
defective goods
rejection, 807–814, 814–819
Cancellable agreements
distance selling, 683–700
Carriers' liabilities
international carriage by rail, 213–218
Cars
distance selling
cancellable agreements, 683–700
Change of position
bad faith
bankers' duties, 209–213
Charges
security
book review, 324–327
China
company law, 106–109
competition law, 182–208
factoring, 67–89
City Code on Takeovers and Mergers
takeovers
tactical litigation, 589–619
Class actions
Israel, 527–540

Codes of practice
banking
documentary credits, 355–377
Collisions at sea
towage
implied terms, 582–588
Commercial agents
EC law
statutory interpretation, 412–441
termination
compensation, 90–98
Commercial law
factoring
China, 67–89
software
sale of goods, 161–181
Commercial property
business tenancies
renewal, 759–777
Company law
China, 106–109
security, 324–327
Company management
criminal liability
France, 1–15
Comparative law
bond issues
trustees' powers and duties, 43–66
China
competition law, 182–208
commercial agents
compensation upon termination, 90–98
contracts
harmonisation, 378–411
Compensation
business tenancies
renewal, 759–777
commercial agents
termination, 90–98, 412–441
Competition Commission
mergers
remedies, 620–638
Competition law
China, 182–208
Competition policy
China
competition law, 182–208
energy
deregulation of energy markets, 244–268
Confidentiality
bankers' duties, 502–526
Conflict of interest
directors' powers and duties
breach of fiduciary duty, 98–103
Conformity
contracts
EC Framework Directive, 378–411
Consumer contracts
distance selling
cancellable agreements, 683–700
Consumer policy
unfair competition
cross-border shopping, 16–42
Consumer protection
product liability
EC law, 884–908
unfair competition
cross-border shopping, 16–42
Consumer trade practices
unfair competition
cross-border shopping, 16–42
Consumers
energy
deregulation of energy markets, 244–268
Contaminated land
lender liability
environmental remediation, 868–883
Contracts
assignment
factoring in China, 67–89
EC law
harmonisation, 378–411
sale of goods
software, 161–181
Contracts of hire
distance selling
cancellable agreements, 683–700
Contracts of sale
defective goods
rejection, 807–814, 814–819
Convention on Preventing and Combating Corruption
African Union, 111–136
Corporate governance
South Korea, 851–867
Corporate insolvency
corporate recovery
super-priority financing, 701–732
Corporate recovery
super-priority financing, 701–732
Corruption
African Union
Convention on Preventing and Combating Corruption, 111–136
Crime prevention
piracy, 639–655
Criminal liability
company management
France, 1–15

Cross-border shopping
unfair competition
EC Framework Directive, 16–42
Damages
misrepresentation, 269–305
Defective goods
defective goods
rejection, 807–814, 814–819
Defective products
product liability
EC law, 884–908
Derivative claims
directors' liabilities
Germany, 225–243
disclosure, 778–806
Directors' liabilities
criminal liability
France, 1–15
derivative claims
Germany, 225–243
Directors' powers and duties
breach of fiduciary duty
establishment of competing businesses, 98–103
shareholders
powers of removal, 656–682
Disclosure
shareholders
privileged litigants, 778–806
Dishonest assistance
banker's duties, 209–213
Distance selling
cancellable agreements, 683–700
Documentary credits
banking
code of practice, 355–377
shipping documents, 329–354
Dominant position
EC law
economics and law, 219–221
Duty of care
underwriters, 137–160
EC law
commercial agents
compensation on termination, 90–98, 412–441
contracts
harmonisation, 378–411
distance selling
cancellable agreements, 683–700
economics and law, 219–221
intellectual property
enforcement of rights, 104–105
mergers
remedies, 620–638
product liability, 884–908
EC law—*cont.*
unfair competition
cross-border shopping, 16–42
Economics and law
law reform
EC law, 219–221
piracy, 639–655
Election
waiver
contract law terminology, 442–470
Energy
competition policy
deregulation of energy markets, 244–268
Enforcement
intellectual property
EC law, 104–105
Environmental liability
lender liability
environmental remediation, 868–883
Environmental remediation
lender liability, 868–883
Equality of arms
disclosure
privileged litigants, 778–806
Estoppel
election
contact law terminology, 442–470
European Bank for Reconstruction and Development
corporate insolvency
super-priority financing, 701–732
Extraterritoriality
international finance
terrorism, 821–850
Factoring
China, 67–89
Fiduciary duty
directors' powers and duties
establishment of competing businesses, 98–103
underwriters, 137–160
Fiduciary relationship
underwriters, 137–160
Financial crime
company management
France, 1–15
Financial institutions
factoring
China, 67–89
international finance
terrorism, 821–850
Financial regulation
listed companies
implementation of Transparency Directive, 733–758

Financial regulation—*cont.*
Nigeria
private placement of securities, 306–322
Financial services
fiduciary duty
underwriters, 137–160
Foreign investment
China
World Trade Organisation, 182–208
international commercial arbitration
bilateral trade agreements, 570–581
France
contracts, 378–411
criminal liability
company management, 1–15
Fraud
dishonest assistance, 209–213
Freezing injunctions
international finance
terrorism, 821–850
Germany
public companies, 225–243
Good faith
directors' powers and duties
establishment of competing businesses, 98–103
Harmonisation
contracts
EC law, 378–411
ICSID
bilateral trade agreements, 570–581
Implied terms
Australia
towage contracts, 582–588
defective goods
rejection, 807–814, 814–819
Indemnities
bond issues
trustees' powers and duties, 43–66
commercial agents
termination, 412–441
Insolvency practitioners
lender liability
environmental remediation, 868–883
Intellectual property
enforcement
EC law, 104–105
International accounting standards
financial regulation
listed companies, 733–758
International carriage by rail
carriers' liabilities, 213–218
International commercial arbitration
foreign investment
bilateral trade agreements, 570–581
International contracts
sale of goods
software, 161–181
International co-operation
corruption
African Union, 111–136
International finance
terrorism, 821–850
International investment disputes
ICSID, 570–581
Ireland
commercial agents
statutory interpretation, 412–441
Israel
class actions
law reform, 527–540
Law reform
economics and law
EC law, 219–221
Legal professional privilege
disclosure
privileged litigants, 778–806
Lender liability
environmental remediation, 868–883
Letters of credit
banking
codes of practice, 355–377
shipping documents, 329–354
Licensing agreements
software, 161–181
Listed companies
financial regulation
implementation of Transparency Directive, 733–758
Litigation
takeovers
use as tactical frustrating measure, 589–619
Loss of chance
damages
misrepresentation, 269–305
Loss of profits
damages
misrepresentation, 269–305
Market power
energy
consumers, 244–268
Markets
regulation
deregulation of energy markets, 244–268
Mergers
regulation
EC merger control, 221–223
remedies
judicial supervision, 620–638

Minority shareholders
share transfers, 471–501
Misrepresentation
damages
public policy, 269–305
Money laundering
banker-customer relationship
confidentiality, 502–526
Mutual trust and confidence
undue influence
unconscionability, 541–569
National competition authorities
World Trade Organisation
competition law in China, 182–208
National courts
commercial agents
statutory interpretation, 412–441
Nigeria
placings
securities, 306–322
Non-performance
contracts
EC Framework Directive, 378–411
Occupation
business tenancies
renewal, 759–777
Offers for sale
securities
Nigeria, 306–322
Offshore bonds
bond issues
trustees' powers and duties, 43–66
Offshore trusts
trustees' powers and duties
bond issues, 43–66
Piracy
economics and law, 639–655
Placings
securities
Nigeria, 306–322
Powers of removal
shareholders
directors powers and duties, 656–682
Precedent
business tenancies
renewal, 759–777
Price discrimination
energy
deregulation of energy markets, 244–268
Priorities
factoring
China, 67–89
Privatised industries
energy
deregulation, 244–268
Privileged documents
disclosure, 778–806
Product liability
EC law, 884–908
Product safety
product liability
EC law, 884–908
Project finance
lender liability
environmental remediation, 868–883
Proportionality
banker's duties
confidentiality, 502–526
Public companies
Germany, 225–243
Public policy
damages
misrepresentation, 269–305
Punishment
piracy, 639–655
Regulation
competition policy
deregulation of energy markets, 244–268
merger control, 221–223
takeovers
tactical litigation, 589–619
Rejection
defective goods, 807–814, 814–819
Relationships
undue influence
unconscionability, 541–569
Remedies
mergers
judicial supervision, 620–638
Renewal
business tenancies
occupation, 759–777
Repairs
defective goods
rejection, 807–814, 814–819
Resolutions
shareholders
annulment, 225–243
Right to respect for private and family life
banker-customer relationship
confidentiality, 502–526
Risk management
lender liability
environmental remediation, 868–883
Sale of goods
book review, 323–324
software, 161–181
Scotland
commercial agents
compensation upon termination, 90–98

Scotland—*cont.*
defective goods—*cont.*
defective goods
rejection, 807–814, 814–819
Secured creditors
corporate recovery
super-priority financing, 701–732
Securities
placings
Nigeria, 306–322
Security
book review, 324–327
Share issues
underwriters
fiduciary duty, 137–160
Share transfers
minority shareholders, 471–501
Shareholders
criminal liability
company management in France, 1–15
disclosure
privileged litigants, 778–806
powers of removal
directors' powers and duties, 656–682
resolutions
annulment, 225–243
Shipping documents
letters of credit, 329–354
Ships
collisions at sea
implied terms of towage contracts, 582–588
Software
sale of goods
licensing agreements, 161–181
South Korea
corporate governance, 851–867
Statutory interpretation
business tenancies
renewal, 759–777
commercial agents
EC law, 412–441
Supply of services
software, 161–181
Suspicious activity reports
international finance
terrorism, 821–850
money laundering
banker-customer relationship, 502–526
Takeovers
litigation
use as tactical frustrating measure, 589–619
Termination
commercial agents
compensation, 90–98, 412–441
Terrorism
international finance, 821–850
piracy, 639–655
Towage
Australia
implied terms, 582–588
Transactions at an undervalue
unconscionability, 541–569
Transparency
financial regulation
listed companies, 733–758
Treaties
bilateral trade agreements
treaty interpretation, 570–581
Treaty interpretation
bilateral trade agreements, 570–581
Trustees' powers and duties
bond issues, 43–66
UNCITRAL
corporate insolvency
corporate recovery, 701–732
Unconscionability
undue influence, 541–569
Underwriters
fiduciary duty
duty of care, 137–160
Undue influence
unconscionability, 541–569
Unfair competition
cross-border shopping
EC Framework Directive, 16–42
United States
bond issues
trustees' powers and duties, 43–66
international finance
terrorism, 821–850
mergers
remedies, 620–638
takeovers
tactical litigation, 589–619
underwriters
fiduciary duty, 137–160
Waiver
election
contact law terminology, 442–470
Whistleblowers
corruption
African Union, 111–136
World Trade Organisation
China
competition law, 182–208